

**IN THE UNITED STATE DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**HAROLD AND CAROL YORK**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 1:09-CV-378-LG-RHW**

**USAA CASUALTY INSURANCE COMPANY  
and JOHN DOES 1-10**

**DEFENDANTS**

**PLAINTIFFS' UNOPPOSED MOTION TO AMEND CASE MANAGEMENT ORDER**

Plaintiffs, by and through counsel, file this their Unopposed Motion to Amend Case Management Order and state as follows:

Presently the Case Management Order provides, among other things, that Plaintiffs designate their experts on or before October 15, 2009 and that Defendant designate experts on or before November 16, 2009. Plaintiffs need additional time to determine which experts should be designated and have proposed to Defendant that the Case Management Order be amended to provide that the deadline for Plaintiffs' expert designations be extended to November 15, 2009 and the deadline for Defendant's designations be extended to December 15, 2009. Defendant has no objection to the proposed amendment. The proposed amendment would not affect any other deadlines set forth in the Case Management Order.

Wherefore, Plaintiffs pray that the court enter an order amending the Case Management Order as requested. Plaintiffs request that due to the nature of the unopposed motion that the requirements of a separate memorandum brief be waived.

Respectfully submitted, on this 14<sup>th</sup> day of October, 2009.

PLAINTIFFS: Harold and Carol York

BY: /s/ David McMullan, Jr.  
David McMullan, Jr.(MSB # 8494)

BARRETT LAW OFFICE, P.A.  
P.O. Box 987  
Lexington, Mississippi 39095

OF COUNSEL

Don Barrett (MSB # 2063)  
David McMullan, Jr. (MSB 8494)  
Katherine B. Riley (MSB # 99109)  
BARRETT LAW OFFICE, P.A.  
P.O. Box 987  
404 Court Square North  
Lexington, Mississippi 39095  
Telephone: (662) 834-2376  
Facsimile: (662) 834-2628

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

This certifies that a true and correct copy of the foregoing has been served via the Court's electronic filing system upon the following:

Janet G. Arnold (MBN 1626)  
Shan Thompson (MBN 9445)  
COPELAND, COOK, TAYLOR & BUSH, P.A.  
1062 Highland Colony Parkway  
200 Concourse, Suite 200(39157)  
P.O. Box 6020  
Ridgeland, MS 39158-6020  
Telephone: (601) 856-7200  
Facsimile: (601) 856-7626

This the 14<sup>th</sup> day of October, 2009.

/s/ David McMullan, Jr.  
David McMullan, Jr.